

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JOEL S. ARIO, in his official capacity as
Acting Insurance Commissioner of the
Commonwealth of Pennsylvania, as statutory
Liquidator of RELIANCE INSURANCE
COMPANY (IN LIQUIDATION)
1311 Strawberry Square
Harrisburg, Pennsylvania 17120

Plaintiff,

v.

CONSTITUTION STATE SERVICES, LLC
f/k/a CONSTITUTION STATE SERVICE
COMPANY
c/o Travelers Indemnity Co.
One Tower Square 5 MN
Hartford, Connecticut 06183

Defendant.

Civil Action No. 07-cv-7454

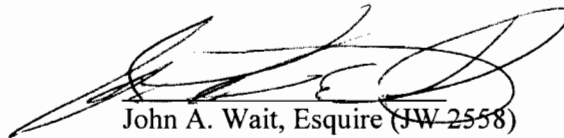
**NOTICE OF MOTION TO
ADMIT COUNSEL *PRO HAC*
*VICE***

TO: Counsel on the Attached Service List

PLEASE TAKE NOTICE that upon the annexed affidavit of John A. Wait in support of this motion, the annexed Certificates of Good Standing annexed thereto, the undersigned will move this Court before the Honorable Laura Taylor Swain at the United States Courthouse for the Southern District of New York, pursuant to Local Rule 1.3(c) of the Local Rules of the United States District Courts for the Eastern and Southern Districts of New York, for an Order allowing the admission of Gerald Arth, a member of the firm of Fox Rothschild LLP, 2000 Market St., 10th Floor, Philadelphia, PA 19103, telephone number (215)299-2000, email address garth@foxrothschild.com, and a member in good standing of the Bars of the States of New York and Pennsylvania, as attorney *pro hac vice* to argue or try this case in whole or in part as counsel. There are no pending disciplinary proceedings against me in any State or Federal court.

Respectfully submitted,

FOX ROTHSCHILD LLP



John A. Wait, Esquire (JW-2558)
100 Park Avenue, Suite 1500
New York, NY 10017

212-878-7900; Fax. 212-692-0940
jwait@foxrothschild.com

SERVICE LIST

Wilbur L. Kipnes, Esquire
Schnader Harrison Segal & Lewis LLP
Suite 3600
1600 Market Street
Philadelphia, PA 19103
Telephone: 215-751-2336

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**AFFIDAVIT IN SUPPORT OF
MOTION TO ADMIT COUNSEL
*PRO HAC VICE***

State of New York)
) ss:
County of New York)

John A. Wait, being duly sworn, hereby deposes and says as follows:

1. I am an associate at the law firm of Fox Rothschild, LLP, counsel for Plaintiff in the above captioned action, and am a member in good standing of the Bar of the State of New York. I was admitted to practice law in the State of New York in 2006. I am also admitted to the Bar of the United States District Courts for the Eastern and Southern District of New York, and am a member in good standing with those Courts.
2. I am pleased to move for admission *pro hac vice* Gerald Arth, Esquire, a partner at the law firm of Fox Rothschild, LLP, a member in good standing of the Bars of the Commonwealth of Pennsylvania and the State of New York and an exemplary attorney. I have known Gerald Arth for three years.
3. Annexed hereto as Exhibit A and Exhibit B are the Certificates of Good Standing from the Commonwealth of Pennsylvania and the State of New York.
4. There are no pending disciplinary proceedings against Gerald Arth in any State or Federal court.

5. Wherefore I respectfully submit that Gerald Arth be permitted to appear as counsel and advocate *pro hac vice* in this one case.

FOX ROTHSCHILD LLP

A handwritten signature in black ink, appearing to read 'John A. Wait', is written over a horizontal line.

John A. Wait, Esquire (JW 2558)
100 Park Avenue, Suite 1500
New York, NY 10017
212-878-7900; Fax. 212-692-0940
jwait@foxrothschild.com



Supreme Court of Pennsylvania

CERTIFICATE OF GOOD STANDING

Gerald E. Arth, Esq.

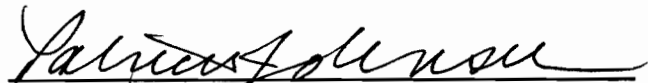
DATE OF ADMISSION

December 15, 1986

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal
Dated: September 21, 2007**


Patricia A. Johnson
Chief Clerk



State of New York
Supreme Court, Appellate Division
Third Judicial Department

I, Michael J. Novack, Clerk of the Appellate Division of the Supreme Court of the State of New York, Third Judicial Department, do hereby certify that

Gerald Edward Arth

having taken and subscribed the Constitutional Oath of Office as prescribed by law, was duly licensed and admitted to practice by this Court as an Attorney and Counselor at Law in all courts of the State of New York on the 13th day of May, 1997, is currently in good standing and is registered with the Administrative Office of the Courts as required by section four hundred sixty-eight-a of the Judiciary Law.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Court, at the City of Albany, this 10th day of October, 2007.



Michael J. Novack

Clerk

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Civil Action No. 07-cv-7454

**ORDER FOR ADMISSION TO
PRACTICE *PRO HAC VICE* ON
WRITTEN MOTION**

Upon the motion of John A. Wait, attorney for Plaintiff, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Gerald Arth
Fox Rothschild LLP
2000 Market St., 10th Floor
Philadelphia, PA 19103
(215)299-2000
garth@foxrothschild.com

is admitted to practice *pro hac vice* as counsel for Plaintiff in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated:
New York, New York:

United States District Judge

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

HEATHER WRENN, being duly sworn, deposes and says:

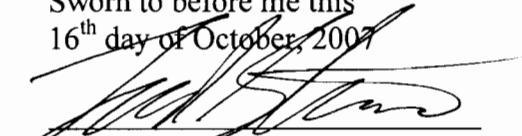
I am not a party to the action, am over 18 years of age and employed by Fox Rothschild LLP.

On October 16, 2007, I served a true copy of the within **Notice of Motion for Leave for Gerald Arth to Appear Pro Hac Vice** by causing such document to be delivered via First Class Mail to:

Wilbur L. Kipnes, Esquire
Schnader Harrison Segal & Lewis LLP
Suite 3600
1600 Market Street
Philadelphia, PA 19103


HEATHER WRENN

Sworn to before me this
16th day of October, 2007


Notary Public

FRED STEVENS
NOTARY PUBLIC-STATE OF NEW YORK
No. 02ST6037653
Qualified in New York County
My Commission Expires February 22, 2010